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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
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| 10/648,427 | 08/27/2003 | Raymond G. Goss | COS97080C1 | 4018 |

7590

09/21/2005

WORLD COM, Inc.
Technology Law Department
1133 19th St., NW
Washington, DC 20036

EXAMINER

LIM, KRISNA

ART UNIT

PAPER NUMBER

2153

DATE MAILED: 09/21/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/648,427

Applicant(s)

GOSS ET AL

Examiner

Krisna Lim

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 13 May 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 72-112 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 72-112 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____.

- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

1. Claims 72-112 are still pending for examination, and claim 1-71 were canceled.
2. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.
3. Claims 72-112 are rejected under 35 U.S.C. § 103 as being unpatentable over Saliba et al. [U.S. Patent No. 6,052,710]. The rejections are respectfully maintained and incorporated by reference as set forth in the last office action.
4. Applicant's arguments filed 5/13/05 have been fully considered but they are not deemed to be persuasive.

In response to applicant's argument that there is no suggestion to combine the references, the examiner recognizes that obviousness can only be established by combining or modifying the teachings of the prior art to produce the claimed invention where there is some teaching, suggestion, or motivation to do so found either in the references themselves or in the knowledge generally available to one of ordinary skill in the art. See *In re Fine*, 837 F.2d 1071, 5 USPQ2d 1596 (Fed. Cir. 1988) and *In re Jones*, 958 F.2d 347, 21 USPQ2d 1941 (Fed. Cir. 1992).

5. In the remarks, applicants argues in substance that the portions of saliba cited by the examiner do not disclosed or suggest:
 - a) the HTTP request is a request for support as required by claim 72;
 - b) the feature of identifying a user support party in response to the request as recited in claim 72;

c) the feature of sending a URL to a user support party, where the URL represents the web page with which the request was made, as recited in claim 74;

d) the feature of determining an identifier associated with the user and the identifying a user support party comprises identifying the user support party based on the identifier, as recited in claim 78;

e) the feature of receiving information associated with the user; where the information comprises at least one of the user's name, the user's telephone number, an Internet protocol address associated with the user, or a URL representing a web page;

f) the feature of passing event performed on the user support system to the user via the communication link to enable the user to view the same web page as that being displayed by the user support system; and.

g) the office action does not provide adequate motivation as to why it would have been obvious to include the feature of establishing an on-line chat session such as Instant Messaging systems with the user at the time the of the applicant's invention. made of record and not relied upon is considered pertinent to applicant's disclosure. These references are cited for applicant's review and they all directed toward the teaching of data processing system having branch instructions and pre-fetch instructions.

6. As to paragraph 5 a) to g) above, applicant is reminded that the teaching of the reference is not limit to just the portion of the office citation but also the teaching of the whole reference. In fact, this is the applicant's obligation or duty to understand the whole reference, not just the office citation line and column, including all cited references as pertinent prior art and other prior arts known to the applicant.

As to claim 72, Saliba clearly disclosed: a) at least one web page (200) is provided to the user (108) and the web page includes software (204, or embedded function calling info) associated with user support services (116); b) receiving a request from the user, via the at least one web page, for support (see the activities between a commerce client and a commerce server thru the web browser of the user 108 and the web server 116 of the web site 100. Thus, Saliba reasonably read on broadly claimed, claim 72.

As to the specific paragraphs 5 c) to 5 f) above, Saliba disclosed the feature of sending the request (e.g., see the communication between a commerce client 132 to a commerce server 136 thru the web browser 112 and the web server 116. This request includes (name, product_ ID, price, quantity, size, image, and reference URL with the use of TCP/IP to the server for support for different types of server actions.

As to the detail information that includes: the user's name, the user's telephone associated with the user. It would have been obvious to one of ordinary skilled in the art at the time the invention was made to recognize that such specific information would have been obviously a matter of choice because these information are nothing more than a specific information fields that the user can obviously have the option to program and send to the server.

As to paragraph 5 g) above, the examiner recognizes that obviousness can only be established by combining or modifying the teachings of the prior art to produce the claimed invention where there is some teaching, suggestion, or motivation to do so found either in the references themselves or in the knowledge generally available to one of ordinary skill in the art. See *In re Fine*, 837 F.2d 1071, 5 USPQ2d 1596 (Fed. Cir. 1988) and *In re Jones*, 958 F.2d 347, 21 USPQ2d 1941 (Fed. Cir. 1992). In this

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case, the feature of establishing an on-line chat session with the user would have been obvious to one of ordinary skilled in the art at the time the invention was made.

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the mailing date of this final action.

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

The references are cited in the Form PTO-892 for the applicant's review.

A shortened statutory period for response to this action is set to expire 3 (three) months and 0 (zero) days from the mail date of this letter. Failure to respond within the period for response will result in **ABANDONMENT** of the application (see 35 U.S.C 133, M.P.E.P 710.02, 710.02(b)).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Krisna Lim whose telephone number is 571-272-3956. The examiner can normally be reached on Monday to Wednesday and Friday from 7:30 AM to 4:00 PM.

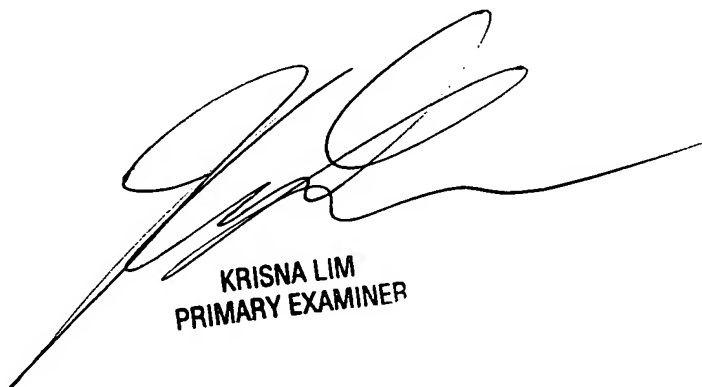
If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Glenton Burgess, can be reached on 571-272-3949. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

KI

September 19, 2005



KRISNA LIM
PRIMARY EXAMINER